



**Thursday, February 23, 2023**

The City Council will convene at 10:00 AM on Thursday, February 23, 2023 at Austin City Hall, 301 W. 2nd Street, Austin, TX and some members may be participating via videoconference



Mayor Kirk Watson

Mayor Pro Tem Paige Ellis, District 8

Council Member Natasha Harper-Madison, District 1

Council Member Vanessa Fuentes, District 2

Council Member José Velásquez, District 3

Council Member José "Chito" Vela, District 4

Council Member Ryan Alter, District 5

Council Member Mackenzie Kelly, District 6

Council Member Leslie Pool, District 7

Council Member Zohaib "Zo" Qadri, District 9

Council Member Alison Alter, District 10

**Public comment will be allowed in-person or remotely by telephone. Speakers may only register to speak on an item once either in-person or remotely. For full instructions on participation in person or by telephone, please visit the Council Meeting Information Center:  
[http://austintexas.gov/department/city-council/council/council\\_meeting\\_info\\_center.htm](http://austintexas.gov/department/city-council/council/council_meeting_info_center.htm)**

*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

### **9:00 AM – Proclamations**

Proclamation – Honoring Betty Swint – To be presented by Council Member Natasha Harper-Madison and to be accepted by Betty Swint, Retired Austin Fire Department Fire Specialist.

### **10:00 AM – City Council Convenes**

#### **Consent Agenda**

##### **Approval of Minutes**

1. Approve the minutes of the Austin City Council work session of February 7, 2023, regular meeting of February 9, 2023, and special called of February 9, 2023.

##### **Austin Energy**

2. Authorize expenditures for annual renewals of professional dues and memberships in national and state associations and organizations related to the electric utility industry, in an amount not to exceed \$420,000.

Strategic Outcome(s): Government that Works for All.

##### **Austin Water**

3. Authorize negotiation and execution of a cost participation agreement to reimburse Austin Pets Alive in an amount not to exceed \$218,400 for costs to design and construct an oversized water main and appurtenances related to Service Extension Request No. 5564 providing water service to a proposed pet adoption facility located at 8107 Dee Gabriel Collins Road.

Strategic Outcome(s): Government that Works for All.

4. Approve Service Extension Request No. 5522 for water service to a 7.48-acre tract located at 4700 City Park Road, Austin, Texas 78730 within the Drinking Water Protection Zone, the City's limited purpose jurisdiction and Austin Water's service area.

Strategic Outcome(s): Government that Works for All.

5. Approve Service Extension Request No. 5532 for water service to a 31.466-acre tract located at 9900 N. FM 620 Road within the Drinking Water Protection Zone, the City's 2-mile extraterritorial

jurisdiction and Austin Water's service area.

Strategic Outcome(s): Government that Works for All.

6. Approve Service Extension Request No. 5533 for wastewater service to a 31.466-acre tract located at 9900 N. FM 620 Road within the Drinking Water Protection Zone, the City's 2-mile extraterritorial jurisdiction and Austin Water's service area.

Strategic Outcome(s): Government that Works for All.

## **Building Services**

7. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of certificates of obligation to be issued for expenditures in the total amount of \$20,000,000 to renovate the Town Lake Center facility. Related to Item #8.

Strategic Outcome(s): Government that Works for All.

8. Approve an ordinance amending the Fiscal Year 2022-2023 Building Services Department Capital Budget (Ordinance No. 20220817-004) to increase appropriations by \$20,000,000 for renovation of the Town Lake Center facility. Related to Item #7.

Strategic Outcome(s): Government that Works for All.

## **Economic Development Department**

9. Approve an ordinance amending the Fiscal Year 2022-2023 Economic Development Department Operating Budget Special Revenue Downtown Public Improvement Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$1,818,270 for operating the Downtown Public Improvement District. Related to Items #10 and #11.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 9

10. Authorize execution of a management agreement for management services with Austin DMO, Inc., d/b/a Downtown Austin Alliance, for a period of five years for a total contract amount of \$79,197,757. Related to Items #9 and #11.

Strategic Outcome(s): Economic Opportunity & Affordability; Health & Environment; Safety and Mobility.

District(s): District 9

11. Approve an ordinance amending Ordinance No. 20220728-009, which adopted the Austin Downtown Public Improvement District Service and Assessment Plan and Budget, to include additional funding for 2023. Related to Item #9 and #10.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 9

12. Approve a resolution authorizing the City Manager to award, negotiate, and execute Cultural Arts Fund grant agreements and allocations for Fiscal Year 2022-2023 in an amount not to exceed \$3,935,000 for Thrive grants.

Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.

**Financial Services**

- 13. Approve a resolution authorizing and approving the creation of the Austin Public Facilities Corporation, a Texas nonprofit public facility corporation; and approving the certificate of formation, the purpose and activities, and approving the appointment of the initial board of directors.  
*Strategic Outcome(s):* Government that Works for All.

**Financial Services- Contracts**

- 14. Authorize negotiation and execution of a 24-month lease renewal with the Texas Health and Human Services Commission for approximately 3,495 square feet of shared office space for the Austin Police Department, Crisis Intervention Team, located at 4110 Guadalupe Street, Bldg. 631, in Austin, Travis County, Texas, in an amount not to exceed \$7,200.  
*Strategic Outcome(s):* Safety.  
*District(s):* District 9

- 15. Authorize negotiation and execution of a cooperative contract to provide SolarWinds software products and services, including maintenance, training, and support services with Insight Public Sector Inc. d/b/a Insight Public Sector for a term of three years in an amount not to exceed \$1,500,000.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

*Strategic Outcome(s):* Government that Works for All.

- 16. Authorize execution of a construction contract for the 2023 Chilled Water Construction in the Right-of-Way Indefinite Delivery/Indefinite Quantity contract with DeNucci Constructors LLC in the amount of \$10,000,000 for an initial two-year term, with three, one-year extension options of \$5,000,000 each, for a total contract amount not to exceed \$25,000,000.

[This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.71% MBE and 2.05% WBE participation].

*Strategic Outcome(s):* Government that Works for All.

- 17. Authorize negotiation and execution of a professional services agreement for transportation engineering services for the 2023 Transportation Engineering Services Rotation List with the following 14 staff recommended firms (or other qualified respondents): HDR Engineering, Inc.; Johnson, Mirmiran & Thompson, Inc.; Kimley-Horn and Associates, Inc.; BGE, Inc./Brown & Gay Engineers, Inc.; AECOM Technical Services, Inc.; Huitt-Zollars, Inc.; Cobb Fendley & Associates, Inc.; Freese and Nichols, Inc./Freese and Nichols; RPS Infrastructure, Inc.; Binkley & Barfield, Inc.; Half Associates, Inc./Half; Pape-Dawson Consulting Engineers, Inc./Pape-Dawson Engineers; DKS Associates; and Volkert, Inc. in a total amount not to exceed \$30,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority

Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation].

Strategic Outcome(s): Safety, Mobility.

18. Approve a resolution finding the use of the competitive sealed proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Zilker Metropolitan Park - Barton Springs Bathhouse Rehabilitation project to provide improvements to the historical bathhouse at Barton Springs Pool.

[Note: MBE/WBE goals will be established prior to issuance of this solicitation].

Strategic Outcome(s): Safety, Culture and Lifelong Learning, Health and Environment.

19. Authorize execution of a construction contract for Duncan Neighborhood Park project, with Muniz Concrete & Contracting, Inc. in the amount of \$1,240,576 plus \$148,000 contingency for a total contract amount not to exceed \$1,388,576.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 20.48% MBE and 1.60% WBE participation].

Strategic Outcome(s): Culture and Lifelong Learning, Health and Environment.

District(s): District 9

20. Authorize execution of a construction contract for Oltorf Street Reclaimed Water Main Phase 1 project, with Cash Construction Company, Inc. in the amount of \$6,475,547 plus a \$647,555 contingency for a total contract amount not to exceed \$7,123,102.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 2.79% MBE and 5.37% WBE participation].

Strategic Outcome(s): Health and Environment.

District(s): District 3

21. Authorize execution of a contract for decorative lights, luminaries, and lamp poles with Techline Inc. for a term of five years in an amount not to exceed \$2,400,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Government that Works for All.

22. Authorize negotiation and execution of a cooperative contract for communications equipment and related technical support with GTS Technology Solutions, Inc. for up to four years for a total contract amount not to exceed \$550,000.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City

Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Safety, Government that Works for All.

23. Authorize execution of a contract for laboratory chemicals and supplies with Taylor Distribution Group, LLC for a term of five years in an amount not to exceed \$5,525,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Health and Environment.

24. Authorize execution of a contract for parts and repair services for boats and boat engines with Marine Outlet Inc. d/b/a Marine Outlet for a term of five years in an amount not to exceed \$785,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Mobility.

25. Authorize negotiation and execution of a contract for actuarial and consulting services for benefit programs with Gallagher Benefit Services Inc. d/b/a Arthur J Gallagher & CO for a term of six years for a total contract amount not to exceed \$3,500,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Government that Works for All.

26. Authorize an amendment to a contract for continued management and operation of a boathouse on Lady Bird Lake with Austin Rowing Club to extend the term by an estimated period of three years or until the current boathouse is demolished.

[Note: This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation].

Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment, Culture and Lifelong Learning.

27. Authorize negotiation and execution of a cooperative contract for outage detection software licensing, maintenance, and support services with Freeit Data Solutions, Inc. for up to five years in an amount not to exceed of \$1,300,000.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement

Program). For the goods and services required for this procurement, there were no subcontracting opportunities, therefore, no subcontracting goals were established].

Strategic Outcome(s): Safety.

28. Authorize execution of a contract for SoundOff signal products light bars, sirens, parts, and accessories with Dana Safety Supply, Inc. d/b/a Fleet Safety Equipment Inc. for a term of five years in an amount not to exceed \$3,000,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Safety.

29. Authorize negotiation and execution of a cooperative contract for a care management and population health management software platform with Groupware Technologies, LLC for a term of five years in an amount not to exceed \$1,250,000.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Health and Environment.

30. Authorize negotiation and execution of a cooperative contract for a fleet data management system and related services with Rubicon Global, LLC for a term of five years for a contract amount not to exceed \$3,700,000.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Government that Works for All.

31. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple the property, located at 304 Cedarbrook Court, Austin, TX, 78753, 0.23 acres (approximately 9,940 square feet) of land from Wesley Powell and Devin Hennen in an amount not to exceed \$756,400, including closing costs, establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3 (Relocation Benefits).

Strategic Outcome(s): Health and Environment.

District(s): District 7

32. Approve an ordinance authorizing negotiation and execution of the eighth amendment to the license agreement with Austin Pets Alive for the use of the Town Lake Animal Center located at 1156 W. Cesar Chavez, Austin, Texas, to commence on February 23, 2023, and terminate August 23, 2023, authorizing waiver of the appraisal and annual license fees required under City Code Sections 14-11-42 and 14-11-43 and declaring an emergency.

Strategic Outcome(s): Government that Works for All.

District(s): District 9

33. Authorize negotiation and execution of a contract for a software as a service based electronic business management system and maintenance and support services with LexisNexis, a division of Reed Elsevier, Inc. a/k/a RELX, PLC, for up to five years for a total contract amount not to exceed \$480,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Government that Works for All.

### **Housing and Planning**

34. Approve a resolution accepting the Equitable Transit-Oriented Development (ETOD) Policy Plan; incorporating ETOD Policy Plan tools for the stations within the boundaries of the Northeast Austin District planning process; initiating amendments to Imagine Austin Comprehensive Plan to adopt elements of the ETOD Policy Plan; and initiating amendments to City Code Title 25.

Strategic Outcome(s): Economic Opportunity and Affordability.

### **Law**

35. Approve a settlement in Ida Nobles et al v. Richard Egal et al, Cause No. 1:19-cv-00389 in the United States District Court for the Western District of Texas, Austin Division.  
Strategic Outcome(s): Government that Works for All.
36. Approve a settlement in Jason Gallagher v. City of Austin et al, Cause No. 1:20-cv-00901-RP in the United States District Court for the Western District of Texas, Austin Division.  
Strategic Outcome(s): Government that Works for All.
37. Approve a settlement in Steven Arawn v. City of Austin et al, Cause No. 1:20-cv-01118-RP in the United States District Court for the Western District of Texas, Austin Division.  
Strategic Outcome(s): Government that Works for All.
38. Approve a settlement in Nicole Underwood v. City of Austin et al, Cause No. 1:20-cv-00032 in the United States District Court for the Western District of Texas, Austin Division.  
Strategic Outcome(s): Government that Works for All.
39. Approve a settlement in Claudia Ford v. City of Austin, Cause No. D-1-GN-19-004771 in the 250th District Court, Travis County, Texas.  
Strategic Outcome(s): Government that Works for All.

### **Police**

40. Authorize negotiation and execution of a second amendment to an interlocal agreement with the University of Texas at Austin (UT) to increase the amount payable by the City to UT from \$196,000 to \$227,151 for the costs of research, assessment, and evaluation for the City's Community Based Crime Reduction Program.

Strategic Outcome(s): Safety.

District(s): District 3

## Public Health

41. Approve appointments to the Austin/Travis County Public Health Commission who will advise City Council on public health programs, projects and services within Austin and Travis County.

Strategic Outcome(s): Health and Environment.

## Item(s) from Council

42. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws, and approve an ordinance waiving Subsections (B) and (C) of City Code Section 2-1-22 (Membership Term and Limitation) for the individuals specified in the ordinance.

43. Approve a resolution directing the City Manager to establish a City goal for delivering affordable and accessible student housing and to explore opportunities for increasing the supply of student housing near institutions of higher learning within the City.

Sponsors: Council Member Ryan Alter, Mayor Kirk Watson, Council Member Natasha Harper-Madison, Council Member José Velásquez, and Council Member Zohaib “Zo” Qadri

44. Approve a resolution regarding the I-35 Capital Express Projects, including official comments from the City Council to the Texas Department of Transportation on the draft Environmental Impact Statement for the I-35 Capital Express Central Project.

Sponsors: Council Member José 'Chito' Vela, Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member Ryan Alter, and Council Member Zohaib “Zo” Qadri

## Non-Consent

### Eminent Domain

45. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the North Lamar Boulevard Corridor Project for the public use of reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use path which will enhance safety for pedestrians and cyclists along the entire length of the project, the acquisition of a Street Right of Way comprising approximately 0.04 of an acre of land (approximately 1,835 square feet), and a Temporary Construction Easement of approximately 0.04 of an acre of land (approximately 1,940 square feet), being out of and a portion of the John Applegait Survey No. 58, Abstract No. 29, being a portion of Lot C-2, Resubdivision of Lot C, Lamar Rundberg Village, a subdivision recorded in Volume 75, Page 391 of the Plat Records, City of Austin, Travis County, Texas currently appraised at \$315,598.00, subject to an increase in value based on updated appraisals or a Special Commissioner’s award. The owner of the needed property is Austaco II Real Estate Partners, Ltd., a Texas limited partnership. The property is located at 9504 North Lamar Boulevard, Austin, Texas 78753. The general route of the project is along North Lamar Boulevard between US-183 and Howard Lane.

Strategic Outcome(s): Mobility, Safety.

District(s): District 4

46. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the North Lamar Boulevard Corridor Project for the public use of reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use path which will enhance safety for pedestrians and cyclists along the entire length of the project, the acquisition of a Sidewalk, Trail and Recreational Easement comprising approximately 0.01 of an acre of land (approximately 535 square feet), and a Temporary Construction Easement of approximately 0.06 of an acre of land (approximately 2,772 square feet), being out of and a portion of the John Applegait Survey No. 58, Abstract No. 29, being a portion of Lot B, Lamar Rundberg Village, a subdivision recorded in Volume 72, Page 70 of the Plat Records, City of Austin, Travis County, Texas currently appraised at \$63,619.00, subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is McDonalds Corporation, a Delaware Corporation, as successor by merger to Franchise Realty Interstate Corporation, an Illinois corporation. The property is located at 9422 North Lamar Boulevard, Austin, Texas 78753. The general route of the project is along North Lamar Boulevard between US-183 and Howard Lane.

Strategic Outcome(s): Mobility, Safety.

District(s): District 4

47. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the William Cannon Drive Corridor Project. The public use of reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act-compliant sidewalks, bicycle facilities, and either separate paths or shared-use paths will enhance safety for pedestrians and cyclists along the entire length of the project. The acquisition of Right of Way comprising approximately 0.03 of an acre of land (approximately 1,372 square feet), and two Temporary Construction Easements of approximately 0.03 of an acre of land (approximately 894 and 553 square feet each with a total of 1,447 square feet), being out of and a portion of the Santiago Del Valle Grant, Abstract No. 24, in the City of Austin, Travis County, Texas, being a portion Lot 1, The Cross Roads, in Volume 67, Page 66, of the Plat Records, City of Austin, Travis County, Texas is needed for the project and currently appraised at \$38,000.00, which may be subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Cannon 5200 Center, LLC, a Texas limited liability company. The property is located at 5200 E. William Cannon Drive, Austin, Texas 78744. The general route of the project is along William Cannon Drive between Southwest Parkway to McKinney Falls Parkway.

Strategic Outcome(s): Mobility, Safety.

District(s): District 2

### **10:30 AM - Austin Housing and Finance Corporation Meeting**

48. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <https://www.austintexas.gov/department/city-council/2023/20230223-ahfc.htm>).

### **Public Hearings and Possible Actions**

49. Conduct a public hearing and consider an ordinance adopting the Palm District Plan as an element of the Imagine Austin Comprehensive Plan.

Strategic Outcome(s): Government that Works for All.

50. Conduct a public hearing related to an application by Cairn Point at Cameron, LP, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Cairn Point at Cameron, located at or near 7205 Cameron Road, Austin, Texas 78752, within the City. Related to Item #51.

District(s): District 4

### **Items Associated with Public Hearings**

51. Consider a resolution related to the allocation of housing tax credits and private activity bonds and the application by Cairn Point at Cameron, LP, or an affiliated entity, for a proposed development to be located at or near 7205 Cameron Road, Austin, Texas 78752, and financed through the private activity bond program. Related to Item #50.

Strategic Outcome(s): Economic Opportunity and Affordability.

### **12:00 PM - Public Communication: General**

Eliza Allen - Austin Energy needs to trim all trees within 5 feet on either side of every power line. If we grant an easement to the city and are not permitted to build on it. The city needs to care for the land on which an easement is granted.

Adam Cahn - What function does city government serve?!?

Paul Robbins - City and Budget Issues.

belinda boone - The services & lack of services, the wasted monies for phone calls over the storm, solutions or --- sold to city and more. Our experiences over the last year and years during outages simple or complex

there needs to be a full overhaul, intervention.....as a retired Org. Dev. Professional, someone has either sold piecemeal solutions or worse....? Please hear me out. my mother is now in hospital.....90 yr old....as we were ignored.....Ours was clear from the beginning but no one would listen NOR read our report calls....

Cynthia Ikard - Longstanding problem with a significantly hazardous sidewalk caused by tree roots uplifting the sidewalk panels. The City's Sidewalk Division agreed to pursue a permanent fix of taking the tree out and installing a concrete ADA compliant sidewalk. The Sidewalk Division applied for a permit to remove the tree. I was notified by them on June 21, 2022 that the permit was approved. The Urban Forestry Team is ready to remove the tree, but the Sidewalk Division is now saying it cannot schedule a concrete repair. They are proposing a less desirable, stopgap measure which will likely result in more problems later on. This alternative is not acceptable to me or my neighbors. I would like the City Council to instruct the Sidewalk Division to schedule a concrete repair within the next 3 months so the permanent fix can be made, and the problem can finally be resolved for good.

Bryan Crow - Lack of Police Oversight and Accountability. Inaction in the face of irrefutable evidence of breach of protocol is an implicit endorsement of the idea that Police are above the law. The city council and the city manager are the only people who can hold APD accountable. I'm here to simply ask that you do your jobs.

## **Live Music**

Como Las Movies

## **Briefing on Planned Unit Development Assessments**

52. CD-2022-0003 - Presentation of a Project Assessment Report for the 200 East Riverside Planned Unit Development, located at 200 East Riverside Drive, within the Lady Bird Lake Watershed and the East Bouldin Creek Watershed.

## **2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

53. C14-2022-0113 - 4206 & 4208 Rivercrest Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4206 and 4208 Rivercrest Drive (Lake Austin Watershed). Applicant's Request: To rezone from lake austin (LA) district zoning to single family residence standard lot (SF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence standard lot (SF-2) district zoning. Owner/Applicant: Lauren Thomson 1998 Trust (Lauren Scott). Agent: Thrower Designs (A. Ron Thrower). City Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122.

District(s): District 10

54. NPA-2022-0023.03 - Berkman Residential - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-55 the University Hills/Windsor Park Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known 6305 Berkman Drive (Fort Branch Watershed) from Higher Density Single Family to Multifamily Residential land use. Staff Recommendation and Planning Commission Recommendation: To grant Multifamily Residential land use. Owners/Applicants: Lewis Douglas D CCL Revocable Trust. Agent: Thrower Design, LLC (Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695.

District(s): District 4

55. C14-2022-0104 - Berkman Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6305 Berkman Drive (Fort Branch Watershed). Applicant Request: To rezone from townhouse and condominium-neighborhood plan (SF-6-NP) combining district zoning to multifamily residence high density district-neighborhood plan (MF-5-NP) combining district zoning. Staff Recommendation: To grant multifamily medium density residence-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence high density -conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning. Owners/Applicants: Lewis Douglas D CCL Revocable Trust. Agent: Thrower Design, LLC (Ron

Thrower and Victoria Haase). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 4

56. C14-2020-0143 - 12121 North IH 35 Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12121 North IH 35 Service Road Northbound (Walnut Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence-moderate high density (MF-4) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate high density (MF-4) district zoning. Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack) Agent: Coats Rose (Racy Haddad). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.
57. C14-2022-0049 - 500 VFW Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 500 VFW Road (Walnut Creek Watershed). Applicant's Request: To rezone from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. First Reading approved on October 27, 2022. Vote: 11-0. Owner/Applicant: Capital City VFW Post #8787. Agent: Drenner Group, PC (Amanda Swor). City Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122.
58. C14-2022-0141 - 12th & West Rezoning - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 801 and 807 West 12th Street and 1108, 1110, and 1112 West Avenue (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. First Reading approved February 9, 2023. Vote: 11-0. Owner/Applicant: Ellis Real Estate Development LLC, Brian Larson, Brad Burns. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 9

59. NPA-2022-0016.03 - 4927 E. 5th Street - Approve second and third readings of an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4927 East 5th Street (Colorado River Watershed) from Industry to Commercial land use. First Reading approved on February 9, 2023. Vote: 11-0. Owner/Applicant: 4927 E. 5th LTD. Agent: Drenner Group, PC (Amanda Swor). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

60. C14-2022-0103 - 4927 E. 5th Street - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4927 East 5th Street (Colorado River Watershed). Applicant Request: To rezone from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved on February 9, 2023. Vote: 11-0. Owner/Applicant: 4927 E. 5th LTD. Agent: Drenner Group LLP (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.

District(s):

District 3

## **Adjourn**

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For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.



# City of Austin

301 W. Second Street  
Austin, TX and some  
members of City  
Council may be  
participating by  
videoconference

## Agenda

### City Council Addendum Agenda

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Thursday, February 23, 2023

10:00 AM

Austin City Hall

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*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

#### Consent Agenda

##### Item(s) from Council

61. Approve an ordinance related to the Office of Police Oversight and establishing pay and benefits for officers of the Austin Police Department upon expiration of the current meet and confer agreement.

Sponsors: Council Member Ryan Alter, Mayor Kirk Watson, Council Member Alison Alter, and Council Member José Velásquez

#### Non-Consent

##### Executive Session

62. Discuss legal issues related to City of Austin v. Lonestar Holdings, LLC, Cause No. C-1-PB-22-001462 in the Travis County District Court, and Lonestar Holdings, LLC v. City of Austin, Cause No. 1:22-cv-00770, in the United States District Court for the Western Division, Austin, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

##### 2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

63. C14-2022-0076 - 3100 Guadalupe St - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3100 Guadalupe Street (Waller Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Owner/Applicant: Leigh Family Trust (Alice G. Kaspar, Trustee). Agent: Drenner Group, PC (Amanda Swor). City Staff: Nancy Estrada, 512-974-7617.

District(s): District 9

## **Adjourn**

Note: The above item(s) will be considered under its respective category, but follow the last number on the Austin, Texas, City Council Agenda for Thursday, February 23, 2023

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